UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/702,455	10/31/2000	Eric Morgan Dowling	EMP-Multi00ICIP1	1166

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EXAMINER
HUYNH, BA

ART UNIT	PAPER NUMBER
2173	4

DATE MAILED: 06/19/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

Office Action Summary	Application No. 09/702,455	Applicant(s) DOWLING, ERIC MORGAN	
	Examiner Ba Huynh	Art Unit 2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____ .

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-20_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-20_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

BA HUYNH
PRIMARY EXAMINER

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _2_ .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over US patent

#6,278,993 (Kumar et al), in view of US patent #6,334,145 (Adams et al).

- As for claims 1, 6, 9, 19: Kumar et al teach a multilevel search browser plug-in module

(23:6-12) comprising an application layer interface coupled to a protocol stack

(inherently included in the teaching of Internet browser) for receiving a portion of a web

page (21:40-48), a browser 178 for interacting with a user (23:6-24), a multilevel search

engine (24:30-47) coupled to receive a first user input relating to the target web page

(24:35-41), the multilevel search engine operative to specify a remote object agent

SW183 (25:5-44) that orchestrates a multilevel browser operation based on the first input,

whereby the remote agent SW183 is exported from the web browser to execute on

network server external from the browser (25:45 – 26:67). Kumar et al fail to clearly

teach the multilevel search control interface for specifying the search depth level,

however in the same field of multilevel searching in Internet browser, Adams et al teach

the multilevel search control interface for the user to specify a search level (figure 7). It

would have been obvious to one of skill in the art, at the time the invention was made, to

combine Adams' teaching of the multilevel search control interface to Kumar's teaching

of multilevel searching for the user to specify a search level. Motivation of the combining is for the user to control the amount of information retrieved.

- As for claims 2, 3: The browser interface 178 inherently includes a window display providing an interactive menu to the user.

- As for claim 4: The combined teaching fail to clearly teach the voice interface, however Official notice is taken that implementation of a voice input interface is well known in the art as a supplemental interface in computer input. It would have been obvious to one of skill in the art to combine the well known voice input interface to Kumar & Adams system. Motivation of the combine is for the advantage of having a supplemental for the conventional keyboard and mouse input interfaces.

- As for claim 5: The "find in page" operation is inherently included in Kumar's teaching of parsing the web page.

- As for claim 7, 8, 20: The combined teaching fails to clearly teach that the plug-in module is implemented in Java and XML code, however implementation of the plug-in module in Java and XML code would have been obvious to one of skill in the art for the well known advantage of portability and robust.

- As for claim 10: The SW 183 compares the content of a markup document to a parameter set (24:39-45).

- As for claims 11, 12: In light of the combining, the parameter comprises a character string (Kumar's 24:39-41) and a search level (Adams' figure 7).

- As for claim 13: Wireless access to Internet from a mobile workstation is well known in the art and within Kumar's teaching of access to ISP connections (6:35-41).

- As for claims 14, 15: The SW183 search for data that may be compared against a query for a match (25:60-66), repeat the search by accessing a next hyperlink if there is no match (26:1-26). Thus the "find next" signal is inherently included in Kumar's teaching of multilevel search.

- As for claim 16: In light of the combining, the parameter comprises a character string (Kumar's 24:39-41) and a search level (Adams' figure 7). The indication to continue the search on a designate next linked page is inherently included in Kumar's teaching of multilevel search.

- As for claims 17, 18: It is inherently included in Internet searching that the hyperlink points to a metadata description of a web resource for accessing the file containing metadata relating to the resource.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ba Huynh whose telephone number is (703) 305-9794. The examiner can normally be reached on Mon - Fri, between 8:00 AM and 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cabeca John can be reached on (703) 308-3116. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7238 for regular communications and (703) 746-7239 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3800.

Ba Huynh
Primary Examiner
June 16, 2003